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SU, CIA await word on documents request

By DALE KASLER

Attorneys for the Central Intelligence Agency and Syracuse University's student newspaper are awaiting a federal judge's decision on the newspaper's request for documents relating to alleged CIA activities on SU's campus.

The suit, filed by the Daily Orange in June 1979, says the CIA should release certain documents under the Freedom of Information Act. The CIA, which has asked for a judgment dismissing the federal complaint, says most documents requested by the newspaper are exempted from the FOI laws.

A spokesman for U.S. District Judge Howard G. Munson, who is presiding over the dispute, said today the matter won't be decided for a while.

The dispute arose in December 1977, when Daily Orange managing editor Howard Mansfield asked the CIA for information about the CIA's relationship with SU Professor William Coplin, information about an agency drug testing program, and any documents regarding CIA involvement on campus.

Most denied

However, the CIA failed to act on Mansfield's request, despite deadlines established by the FOI Act, according to the suit. So the newspaper sued the agency.

In November 1979, the newspaper and the Justice Department agreed to a stipulation under which the CIA agreed to process the request and give the newspaper an index of documents regarding contracts between the CIA and SU.

The agency processed the request, and in December told Gary Kelder, an attorney for the DO, that a few documents could be released, but most requests were denied because of exemptions to the FOI Act. And the CIA told Kelder it won't even confirm or deny the existence of some covert documents because that would damage national security.

Kelder said yesterday the information released was "unimportant, esoteric."

The newspaper has complained in briefs filed with the court that it hasn't been able to look at the documents to see if, in fact, their release would be a threat to national security.

Says access withheld

But in asking Munson to dismiss the suit, Justice Department attorneys said in May that "plaintiffs' oft-repeated claim that they have not yet had 'an opportunity' to conduct discovery is contradicted by the facts that they have had since mid-March to initiate any such discovery."

But Daan Braverman, the newspaper's other attorney, says the Daily Orange hasn't been able to conduct discovery — sort out which documents would damage national security or intelligence if released — because the CIA has not allowed the attorneys access to the files.

The attorneys have requested the CIA release an affidavit spelling out the nature of the documents. Also, the DO wants Judge Munson to examine the covert documents himself to see if they can be released without damaging the intelligence community.

In a recent development in the case, the newspaper's attorneys have amended the complaint to add two SU professors, Norman Balabanian and Allen Miller, as plaintiffs. Briefs filed in court say the CIA told Balabanian in 1975 his mail had been checked by the agency.

Threat to freedom

The professors claim the CIA's refusal to release the information violates academic freedom and the First Amendment. The CIA's refusal constitutes a "threat to academic freedom of all members of the academic community," according to a brief filed in April.

"Defendants (CIA) are creating the kind of suspicion and distrust which threatens the free exchange of ideas essential to an academic community," the brief said.

The brief noted the SU faculty in 1978 adopted a policy against letting professors conduct work for an intelligence agency under the guise of doing academic work.

Munson hasn't decided yet whether to allow the complaint to be amended to let the professors in as plaintiffs.

Mansfield's request for the information arose because of Coplin, director of public affairs in SU's Maxwell School of Citizenship. In his original letter asking the CIA for the documents, the managing editor said Coplin may have done research for the CIA regarding a system to predict revolutions "in banana republics."

Other connections probed

Mansfield asked for other information regarding possible SU-CIA connections, including the possibility that students were placed under surveillance or they were recruited by professors to spy on foreign countries during exchange programs. In addition, Mansfield asked if SU was involved in a drug testing program called MK ULTRA.

Mansfield, using CIA documents released under pressure by the Campaign to Stop Government Spying, had written an article for the Daily Orange in April 1978 describing how the CIA monitored political activity on SU's campus from 1967 to 1973.